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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 DOMINGO GERMAN MACAVILCA,

11 Plaintiff,

12 v.

13 WARDEN WIGGEN, *et al*,

14 Defendants.
15

Case No. C08-5637 FDB


ORDER ADOPTING REPORT
AND RECOMMENDATION
DISMISSING COMPLAINT
WITHOUT PREJUDICE

16 The Magistrate Judge recommends this civil rights action be dismissed for failure to
17 prosecute. Plaintiff has not filed an objection.

18 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L.
19 Strombom and the remaining record, does hereby find and ORDER:

- 20 (1) The Court adopts the Report and Recommendation;
21 (2) Plaintiff's action is **DISMISSED WITHOUT PREJUDICE**; and
22 (3) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. Karen
23 L. Strombom.

24 DATED this 26th day of May, 2009.

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26 
FRANKLIN D. BURGESS
27 UNITED STATES DISTRICT JUDGE
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